

ARTICLE 6 – RACETRACK OFFICIALS

112-6-1. Greyhound racetrack officials and backup officials; prohibited interests; responsibility; accountability; identification and approval; unavailability. (a) Unless otherwise ordered by the commission, racetrack officials at a race meet for greyhounds shall be as follows:

- (1) the director of racing;
- (2) the mutuel manager;
- (3) the paddock judge;
- (4) the kennel master;
- (5) the clerk of scales;
- (6) the starter;
- (7) the lure operator;
- (8) the chartwriter;
- (9) the racing secretary; and
- (10) any backup to any of these positions.

(b) An individual or a member of an individual's family as defined in K.S.A. 1994 Supp. 74-8810(c), who owns a greyhound or has a financial interest in a greyhound entered at a race meet, shall not serve as a racetrack official at the meet. A lessee or lessor of a greyhound shall be deemed to have a financial interest in the greyhound.

(c) Each racetrack official shall be strictly responsible to the commission for the performance of that official's duties and shall promptly report to the commission or the racing judges any violation of the regulations of which the official has knowledge. Each racetrack official who fails to perform the official's duties shall be discharged by the racing judges.

(d) Each employee of the racing and mutuel departments at a racetrack facility shall be an employee of the organization licensee and shall be accountable to the board of directors of the organization licensee. An organization licensee or facility manager licensee shall not, either by contract or agreement, diminish the organization licensee's ultimate responsibility to conduct the races and the parimutuel system of wagering. However, any organization licensee may execute a contract or agreement with a facility manager licensee that permits the delegation of day-to-

day management of the conduct of races and the parimutuel system of wagering.

(e) Each racetrack official and each backup racetrack official shall be approved by the racing judges and the commission before the official assumes any race meet duties. Each organization licensee shall submit a list identifying each racetrack official and each backup racetrack official to the commission 30 days before the first day of the race meet for which the racetrack officials are to serve.

(f) Notwithstanding the provisions of K.A.R. 112-3-19(c), if a racetrack official is unavailable or unable to serve at a particular performance, and no backup racetrack official is available to serve, the organization licensee shall appoint a substitute, subject to the approval of the racing judges, to serve for that performance only. (Authorized by K.S.A. 1995 Supp. 74-8804; implementing K.S.A. 1995 Supp. 74-8818 and K.S.A. 1995 Supp. 74-8813; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended March 25, 1991; amended Sept. 6, 1994; amended Aug. 9, 1996.)

112-6-2. Commission officials, racing judges.

(a) Each licensee and each individual attending greyhounds during a race meet shall conduct activities under the general authority and supervision of the racing judges. The racing judges may interpret any of these racing regulations, and the racing judges may order any appropriate action not expressly authorized by these racing regulations in order to ensure a fair race and to protect the best interests of racing.

(b) Each race day, any licensee who wishes to consult with the racing judges may do so at the offices of the racetrack facility.

(1) Two of the three racing judges shall be in attendance at least one-half hour before weighing in time.

(2) The third racing judge shall be in attendance at the racetrack facility at least one-half hour before post-time for the first official race.

ARTICLE 6 – RACETRACK OFFICIALS

(3) If all three of the racing judges are present in the judges' stand during a performance, one and only one racing judge may leave the judges' stand to supervise any racing-related matter as official duties may dictate.

(c) If a vacancy occurs among the racing judges, the chief judge may appoint a substitute in an emergency. If the chief judge is absent, the senior associate judge may make the appointment.

(1) The racing judges shall immediately report each substitute to the commission office.

(2) If a vacancy has occurred among the racing judges, and a substitute has not been appointed, the remaining two judges may conduct the business of the racing judges until the vacancy is filled in accordance with these racing regulations.

(d) The racing judges' jurisdiction over any matter shall commence 72 hours before any entry is taken for the first day of racing at the meet and shall extend until 30 days after the last day of the meet. If a dispute arises during a race meet that is not settled within the racing judges' 30-day jurisdiction, the authority of the racing judges may be extended by the commission until the matter is resolved or until it is referred or appealed to the commission.

(e) Any occupation licensee may be penalized by the racing judges or the commission in accordance with the Kansas parimutuel racing act and the Kansas administrative procedure act. At the direction of the commission, all of the racing judges, or any of them, may conduct summary adjudicative hearings in accordance with the Kansas administrative procedure act.

(f) The racing judges shall immediately report each penalty to the commission.

(g) The racing judges may excuse any greyhound that the racing judges determine is disabled or unfit to run.

(h) The racing judges may suspend any greyhound from participating in races for any period of time determined by the racing judges if the greyhound does not meet the requirements of, or has been involved in any

violations of these racing regulations or any provisions of the Kansas parimutuel racing act.

(i) Any matter within the jurisdiction of the racing judges may be referred by the racing judges to the commission with or without recommendation.

(j) The racing judges shall maintain a detailed written account of each question, dispute, protest, complaint and objection. The racing judges shall prepare and submit a daily report to the executive director within 72 hours of the race date that is the subject of the report. The report shall detail each raceday's activities, including:

- (1) each derogatory comment;
- (2) each disciplinary hearing;
- (3) each fine;
- (4) each suspension;
- (5) the conduct of each race;
- (6) each interruption and delay; and
- (7) the condition of the racetrack facility.

(k) A qualified person shall test or examine each greyhound that has entered a race or that has run in a race when ordered by the racing judges. The racing judges may examine any ownership papers, certificates, documents of eligibility, contracts or leases pertaining to any greyhound at the racetrack facility.

(l) If the racing judges determine that any race or races cannot be conducted in accordance with the regulations, the racing judges shall cancel that race or those races.

(m) The timing of each race shall be conducted by the racing judges as follows.

(1) The racing judges shall declare the official time of each race.

(2) The racing judges shall hand-time each race using a stopwatch that has been inspected and certified by a competent watchmaker.

(3) The racing judges shall time each race to 1/100th of a second.

(4) The timing of the race shall commence with the opening of the lids of the starting box.

(5) The racing judges shall declare the time shown on the official timing device as

ARTICLE 6 – RACETRACK OFFICIALS

the official time of the race if the racing judges are satisfied that the timing device is functioning properly. If the racing judges are not satisfied, the racing judges shall use the time shown on the hand-held stopwatch.

(n) The racing judges shall determine the official winner and other respective positions in the order of finish. The racing judges shall consider only the relative position of the respective racing muzzles of the greyhounds to determine each place at the finish.

(o) If a greyhound loses its racing muzzle or finishes with a hanging muzzle, the racing judges shall consider only the relative position of the nose of the greyhound that finishes without its racing muzzle in respect to the racing muzzles of the other greyhounds in the race.

(p) In each race, the racing judges shall promptly display the number of the first three greyhounds in order of their finish. The racing judges shall also display the number of the greyhound finishing fourth. If the racing judges disagree about the order of finish, the majority shall prevail.

(q) If the racing judges wish to consult a picture from the photo finish camera, the placements the racing judges have agreed upon may be posted without waiting for a picture and, after consulting the picture, the racing judges may post any changes in placement. However, the racing judges shall not declare the race official until the racing judges have determined which greyhounds finished first, second and third.

(r) Nothing in these racing regulations shall prevent the racing judges from correcting an error before the official sign is displayed or from recalling the official sign in the event it has been displayed through error. (Authorized by K.S.A. 1994 Supp. 74-8804, as amended by L. 1995, Ch. 255, Sec. 8; implementing K.S.A. 1994 Supp. 74-8804, as amended by L. 1995, Ch. 255, Sec. 8, 1994 Supp. 74-8818 and 74-8816; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended March 25, 1991; amended Sept. 6, 1994; amended March 8, 1996.)

112-6-3. Director of racing. (a) The director of racing shall have general supervision over each owner, trainer and any other individual attendant on greyhounds.

(b) The director of racing shall have control over and free access to the racetrack facility.

(c) The director of racing shall determine all matters regarding eligibility, entries, withdrawals, scratches and the conduct of the races, except as those matters may be otherwise determined by the racing judges. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8804; effective, T-112-1-19-89, January 19, 1989; effective April 10, 1989; amended March 25, 1991.)

112-6-4. The paddock judge and the kennel master. (a) Each paddock judge shall complete an identification card for each greyhound before it is entered for official schooling. Each paddock judge shall ensure that each greyhound conforms to the card index identification and shall report each discrepancy to the racing judges.

(b) Under the supervision of the paddock judge and in cooperation with the commission animal health officer, each kennel master shall unlock the lock-out kennels immediately before weigh-in time to see that the lock-out kennels are in safe and perfect repair and that nothing has been deposited in them for the greyhounds to consume. The kennel master shall see that the lock-out kennels are sprayed, disinfected, and kept in proper sanitary condition. The kennel master or the kennel master's assistants shall receive each greyhound from its trainer, one at a time, and see that the greyhound is placed in its crate. After the kennel master receives the greyhounds, the kennel master shall remain on duty at the lock-out kennel until each greyhound is removed for the last race.

(c) No paddock judge or paddock judge's assistant shall allow anyone to present a greyhound for weigh-in at an official

schooling or an official race except the greyhound's kennel owner, trainer, licensed assistant, or licensed kennel helper, as designated on the kennel roster.

(d) As each greyhound is weighed in, each paddock judge, kennel master, or paddock judge's assistant shall ensure that an identification tag is attached to the greyhound's collar that indicates the number of the race in which the greyhound is entered and its post position. The tag shall not be removed until the greyhound has been weighed out and blanketed.

(e) After the greyhounds are placed in the lock-out kennels, only the racing judges, the paddock judge, the kennel master, the animal health officer, the assistant animal health officers, or the lead outs shall enter the lock-out kennels. None of these individuals shall enter the lock-out kennels unaccompanied.

(f) Before the greyhounds leave the paddock for the starting box, each paddock judge or paddock judge's assistant shall carefully compare each greyhound with its identification card and shall determine that each greyhound is equipped with a regulation racing muzzle and blanket. The paddock judge or the paddock judge's assistant shall examine all muzzles and blankets to determine whether they are properly fitted before the greyhounds leave the paddock.

(g) The paddock judge shall assign lead outs to the respective post positions by lot before each racing program. However, if a greyhound is difficult to handle, the paddock judge may assign the greyhound to the particular lead out who is most capable of handling the greyhound, in the paddock judge's opinion. The paddock judge or the paddock judge's assistant shall maintain a written record of lead out assignments. (Authorized by K.S.A. 2001 Supp. 74-8804; implementing K.S.A. 2001 Supp. 74-8804; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended March 25, 1991; amended Jan. 31, 2003.)

112-6-4a. Lead outs. (a) The lead out shall not be considered an official for purposes of these regulations.

(b)(1) Each licensee shall train lead outs in the scope and proper performance of duties before working official races.

(2) Each licensee shall properly train lead outs in the handling of greyhounds. This training shall include the following:

(A) The proper method of leading greyhounds;

(B) weighing of, placement in, and removal of greyhounds from lock-out kennels;

(C) handling of blankets, muzzles, and leashes;

(D) placement in the starting box; and

(E) returning the greyhound to the kennel representative after the finish of a race.

(c)(1) A lead out shall not lead more than one greyhound from the paddock to the starting box during official purse races. More than one greyhound per lead out may be permitted upon application to the racing judges on a performance basis. In official schooling races, a lead out shall not lead more than two greyhounds from the paddock to the starting box.

(2) A lead out shall lead the greyhounds from the paddock to the starting box. Owners, trainers, or attendants shall not be allowed to lead any greyhound.

(3) Each lead out shall be assigned to a post position by lot by the paddock judge or paddock judge's assistant before each race or performance, and a record of that race or performance shall be maintained.

(d)(1) The lead out shall handle each greyhound in a humane manner and shall immediately report any infirmities or physical problems that the lead out observes in greyhounds under that individual's care to the nearest racing official, for notification to the commission veterinarian.

(2) The lead out shall be prohibited from holding any conversation with the public or with one another en route to the starting box unless pertaining to subsection (e) of this regulation.

(3) Each lead out shall be attired in a clean uniform, present a neat appearance, and act in an orderly manner.

(4) The lead out shall be prohibited from smoking unless that individual is 18 years of age or older and on a duly authorized break.

(5) The lead out shall be prohibited from smoking, drinking beverages other than water, or eating unless on a duly authorized break and in a designated area.

(e)(1) Once the first race of the performance has been removed from the lock-out kennel, each lead out shall remain in the restricted area of the paddock at all times except to accompany an assigned greyhound to the starting box.

(2) A lead out not on duty shall be prohibited from entering the paddock until the last race has left the paddock.

(3) A lead out shall not remove any racing blankets until the greyhounds are accepted by licensed kennel representatives at the conclusion of the race.

(f)(1) No lead out shall be permitted to have any interest in the greyhound racing for the licensee.

(2) The lead out shall be prohibited from wagering on the result of any greyhound racing at the racetrack where the lead out is assigned.

(g) Any individual found to be in violation of any of this regulation shall be subject to suspension, revocation, fine, or any combination, or any other action that the judges deem necessary. (Authorized by K.S.A. 1998 Supp. 74-8804; implementing K.S.A. 1998 Supp. 74-8816; effective Oct. 15, 1999.)

112-6-5. Clerk of scales. (a) Each clerk of scales shall monitor the weigh-in and weigh-out of each greyhound and shall post the accurate weight of each greyhound on the weight board for the information of the public. The established race weight, pre-post weight and track weight must be promptly posted or announced for the information of the public.

(b) Each clerk of scales shall keep a record of the weigh-in and the weigh-out weights and

shall record any scratches and the reasons for them.

(c) Each clerk of scales shall be responsible for having the scales checked for accuracy by a certified person before each race meet. Each organization licensee shall equip the scales with a certified weight for the use of any interested person.

(d) Each clerk of scales shall promptly report to the racing judges each infraction of the regulations regarding weight or weighing. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8804; effective T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended March 25, 1991.)

112-6-6 The starter. (a) Each starter shall give the orders and take the actions necessary to secure a fair start for the entries.

(b) Each greyhound shall be started from a starting box that is approved by the commission. Unless otherwise approved by the commission, the starting box shall consist of eight positions, and the starting box lid shall be opened by an automatic starting device.

(c) Each starter shall report each delay of race and the cause of the delay to the racing judges.

(d) Each starter shall notify the racing judges if any greyhound appears to be disabled or unfit to run because of an accident that occurred before the greyhound was placed in the starting box.

(e) Each starting box to be used during a performance shall be tested before the first race of the performance.

(f) If the automatic starting device fails to operate properly, each starter shall make only one manual attempt to open the starting box. If the starting box does not open completely after the first manual attempt, the starter shall notify the racing judges immediately. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, effective, T-112-1-19-

89, Jan. 19, 1989; effective April 10, 1989; amended March 19, 1990.)

112-6-7. The lure operator. (a) Each lure operator shall direct complete attention to the operation of the mechanical lure during each race meet. Each organization licensee shall provide the lure operator with a room as free as possible from any disturbance that may distract the lure operator during the conduct of duties.

(b) Each lure operator shall run a consistent lure at all times and shall immediately report to the racing judges each circumstance that may prevent the running of a consistent lure.

(c) The lure operator shall run the mechanical lure completely around the racing strip at least twice prior to the first post time to determine that the lure is in perfect working condition. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by 1988 HB 2774, Sec. 3; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989.)

112-6-8. The racing secretary. (a) Each racing secretary shall maintain a file of each lease or ownership paper on each greyhound racing in the race meet. The racing secretary shall inspect all ownership and lease documents to confirm that they are accurate, complete and current. The racing secretary is responsible for the custody and safe keeping of each lease or national greyhound association ownership paper and shall permit only authorized personnel access to them. Each document shall not be removed from the racing secretary's custody by any individual except the greyhound's kennel owner or trainer.

(b) Each racing secretary shall maintain a complete record of all races, shall receive all stakes and entrance money and shall pay over all monies collected to officers or other persons entitled to receive them.

(c) Any racing secretary may request proof that a greyhound is not disqualified or nominated by or the property, wholly or in part, of a disqualified person. If sufficient proof is

not given to satisfy the racing secretary, the racing secretary may declare the greyhound disqualified.

(d) Each racing secretary shall receive all entries and declarations.

(e) Any racing secretary may demand production of and inspect each owner's and trainer's license and each paper and document relating to owners, trainers, partnership agreements, appointment of authorized agents and adoption of kennel names. Each racing secretary shall make a reasonable attempt to establish that required individuals are licensed and that the regulations have been followed. The documents shall be available to the racing judges at all times.

(f) Each day, as soon as the entries are composed and compiled and the declarations made, each racing secretary shall post a list of entries in a conspicuous place. (Authorized by K.S.A. 1989 Supp. 74-8804; implementing K.S.A. 1989 Supp. 74-8804; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended March 25, 1991.)

112-6-9. The mutuel manager. For purposes of these regulations, the duties of the mutuel manager shall be defined the same in this article as in 112-5-10. (Authorized by K.S.A. 1993 Supp. 74-8804; implementing K.S.A. 74-8816 and K.S.A. 1993 Supp. 74-8818; effective Sept. 6, 1994.)

112-6-10. The chartwriter. (a) For purposes of these regulations, the chartwriter shall be the individual who shall obtain information to be printed in the racing program concerning each racing greyhound.

(b) The chartwriter's duties shall include:

(1) viewing the running of each official live race;

(2) viewing the tape of each race as many times as necessary to obtain the following information on each racing greyhound:

(A) the running time and order of finish, verified by the photo finish operator whenever possible, for each racing greyhound;

(B) the post positions and position calls during the race for each racing greyhound;

(C) the equivalent win odds for each racing greyhound;

(D) the parimutuel payoffs for each wagering race;

(E) the date, distance, grade, track condition and racing weight for each official race a greyhound competes in; and

(F) a comment referencing each greyhound's performance in each race;

(3) obtaining any other vital information relating to each racing greyhound; and

(4) overseeing the information provided in the racing program for use by the betting public. (Authorized by K.S.A. 1993 Supp. 74-8804; implementing K.S.A. 74-8816 and K.S.A. 1993 Supp. 74-8818; effective Sept. 6, 1994.)